

**REGULAR MEETING
TRIBAL FORESTRY COMMITTEE
SEPTEMBER 27, 2010 – 4:00 P.M.
TRIBAL OFFICE BOARDROOM**

1. Call to order and Roll call.

Vice-Chairperson Randal Chevalier called the meeting to order at 4:08 p.m. Roll call was taken with a quorum present. MEMBERS PRESENT: Randal Chevalier, Louis Washinawatok, Alfred Pyatskowit, Walter Cox, David Grignon, Jeremy Pyatskowit, and Richard Warrington. MEMBERS ABSENT: Myrna Warrington and Susan Waukau (excused). ALSO PRESENT: Christopher Caldwell, and Colleen Waukechon, Recorder.

2. Moment of Silence.

A moment of silence was observed.

3. Approval of Minutes dated August 30, 2010.

There were no corrections necessary.

Motion made by Richard Warrington to approve the meeting minutes dated August 30, 2010. Second was by Jeremy Pyatskowit. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions, and 2 absent (M. Warrington and Waukau).

4. MTL Compliance Plan: Discussion / Recommendations.

Trust Resources Director, Christopher Caldwell, supplied the group with a memo dated September 22, 2010 which states that he has revised the Compliance Plan which now includes specific reporting requirements for his department as well as proposed deadlines for the Menominee Tribal Legislature to follow when addressing responsibilities. He recommends that the plan be sent to the Menominee Tribal Legislature for final approval and implementation.

Richard Warrington expressed his concerns regarding the paragraph on page 3 where it talks about the distribution of excess profits. He would like to see these excess profits, if any, go to general membership rather than being utilized for tribal operations; the Committee agreed with him. Mr. Caldwell pointed out that his was language taken directly from the Menominee Constitution and could not be easily changed.

Motion made by Jeremy Pyatskowit to approve the MTL Compliance Plan as amended and forward to the Menominee Tribal Legislature for approval. Second was by David Grignon. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions, and 2 absent (M. Warrington and Waukau).

Motion made by Alfred Pyatskowit to request that the Menominee Tribal Legislature contact Menominee Tribal Enterprise to discuss what is available in terms of excess profits; and recommend that those excess profits be distributed to the tribal members. Second was by Richard Warrington. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions, and 2 absent (M. Warrington and Waukau).

5. Amendment to Ordinance 05-22 (Tribal Logging Practices): Discussion / Recommendations.

Christopher Caldwell supplied the group with a memo recommending tabling this item because Legal Services is still working on producing the red-line version.

Motion made by Jeremy Pyatskowit to TABLE item #5 Amendment to Ordinance 05-22. Second was by Alfred Pyatskowit. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions, and 2 absent (M. Warrington and Waukau).

6. Plan for Non-Sustained Yield Forests and newly added forest lands: Discussion / Recommendation.

Christopher Caldwell supplied the group with a memo that recommended either tabling this item again, or completely removing it from the agenda. Members of the Committee agreed that this item is beginning to be confused with the next agenda item: Sustained Yield Lands – Withdrawn and Added: Discussion / Recommendations. Mr. Caldwell suggested figuring out how this issue connects to the Land Use Plan.

Richard Warrington stated that there was discussion held at the last Community Development meeting regarding a plan for non-sustained yield lands and the Land Use Plan. He had informed the Committee that the Land Use Plan will take some time to review and amend; along with finding the needed funding to hire a consultant. For this reason, he is not sure how long it will take to revise it. Mr. Warrington stated that he is currently working with a consultant on some figures that he will eventually take back to the Budget & Finance Committee to request funds.

Jeremy Pyatskowit suggests removing this item from this agenda for now while it is being worked on at the Community Development Committee level; when the time comes to where this committee needs to be involved, it could then be added back on the agenda.

Christopher Caldwell suggested inventorying what is in non-sustained yield, what is already classified under the Zoning Ordinance, and what needs to be classified. When the Land Use Plan is developed it can then either be added to it or simply referenced in it.

Motion made by Jeremy Pyatskowit to remove items #6 (Plan for Non-Sustained Yield Forests and newly added forest lands: Discussion / Recommendation) and #7 (Sustained Yield Lands – Withdrawn and Added: Discussion / Recommendations) from future agendas. (This will then not be placed back on the agenda until action by the committee is recommended because it will now be addressed in the Trust Resources Monthly Director’s Report.) Second was by Richard Warrington. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions, and 2 absent (M. Warrington and Waukau).

David Grignon stated that there are some large archeological sites that have been buffered and questioned the Committee whether those lands should be removed from sustained yield.

Christopher Caldwell stated that this would be an excellent point to discuss in a workgroup; weighing the pros and cons of removing small areas of lands and its implications on the total acreage.

7. Sustained Yield Lands – Withdrawn and Added: Discussion / Recommendations.

There was no discussion on this item at this time.

It was discussed in item #6 as to why this item will be removed from future agendas.

8. Trust Resource’s Director’s Report – August 2010.

Christopher Caldwell stated that he keeps a running tally on the shortfall of the 638 contract funding. He informed the Committee that there has always been a shortfall in this funding. He stated that he keeps track of it for the reason that it is a duty of the Bureau of Indian Affairs to make sure there is enough funding available. Mr. Caldwell also stated that MTE is still obligated by the Menominee Constitution to manage the forest whether there is enough funding or not.

Motion made by Richard Warrington to accept the Trust Resources Director’s Report for August 2010. Second was by Walter Cox. All those in favor of the motion signify by saying aye. Motion carried: 6 for, 0 opposed, 0 abstentions, and 2 absent (M. Warrington and Waukau).

9. Other Business.

Richard Warrington informed the group that he has some issues regarding right-of-way on Tribal lands. He stated that he had received a phone call from Oconto Electric Company who wanted approval to maintain the area around their power lines in the South Branch and East Line areas. They asked Mr. Warrington if they could bring in a power cutter to remove the brush underneath their lines. He informed the company that he did not have the authority to approve their request and asked them to provide him with some maps of the areas they were inquiring about along with what exactly they were going to be doing and how they plan on accomplishing that.

After discussion, the Committee agreed that this issue would be more appropriate for the Community Development Committee to consider.

10. Legal Needs for Next Meeting.

There were no new legal needs at this time.

The group requested the Recording Clerk to inquire about the issues that were sent to the Legal Department from the past meetings.

11. Adjournment.

Motion made by David Grignon to adjourn the meeting. Second was by Jeremy Pyatskowit. All those in favor of the motion signify by saying aye. Motion carried: 7 for, 0 opposed, 0 abstentions, and 1 absent (Waukau).

Meeting adjourned at 5:07 p.m.

Respectfully submitted by,

Colleen Waukechon, Recorder/Transcriber
Recording Clerk – Chairman's Office